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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AARON GREENSPAN,

Plaintiff,

v.

OMAR QAZI, SMICK ENTERPRISES, INC.,
ELON MUSK, and TESLA, INC.,

Defendants.

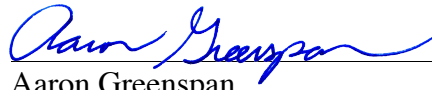
Case No. 3:20-cv-03426-JD

**PLAINTIFF'S NOTICE OF
WITHDRAWAL OF MOTION
FOR CLARIFICATION OF
CLERK'S DECLINATION OF
DEFAULT ON OMAR QAZI AND
SMICK ENTERPRISES, INC.**

Judge: Hon. James Donato
Complaint Filed: May 20, 2020

Plaintiff Aaron Greenspan hereby withdraws his July 2, 2020 Motion for Clarification of Clerk's Declination of Default on Omar Qazi and Smick Enterprises, Inc. Pursuant to Civil Local Rule 7-11, recorded on the docket as ECF No. 22. After highlighting the due process issue inherent in the Clerk's prior refusal to communicate, the Clerk contacted Plaintiff and clarified its need for a specific list of documents served, even though such a list is not explicitly required by any sub-section of Federal Rule of Civil Procedure 4 or Civil Local Rule 4-2. The Clerk could not explain its prior invocation of "California Code of Civil Procedure 417.10" or its reference to an "affidavit" that was not filed. Plaintiff filed an updated Application for Entry of Default (ECF No. 26) and the Clerk entered default on Omar Qazi and Smick Enterprises, Inc. accordingly (ECF No. 27), rendering the motion moot.

1 Dated: July 7, 2020

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CERTIFICATE OF SERVICE

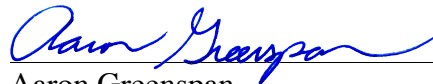
The undersigned certifies that on July 7, 2020, he caused this **PLAINTIFF'S NOTICE OF WITHDRAWAL OF MOTION FOR CLARIFICATION OF CLERK'S DECLINATION OF DEFAULT ON OMAR QAZI AND SMICK ENTERPRISES, INC.** to be served via First Class Mail by depositing this document, postage pre-paid, in a mailbox addressed to:

Omar Qazi
2625 Hyde Street
San Francisco, CA 94109
Defendant and Officer of Defendant Smick Enterprises, Inc.

All other parties are registered for the CM/ECF system and have been served electronically.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on July 7, 2020.

Dated: July 7, 2020


Aaron Greenspan